



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 11 1984

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EPA Region 5 Records Ctr.



254006

Mr. John Foisy
Formulated Products, Inc.
860 North County Road
Bellevue, Ohio 44811

Re: Request for Consent for Entry and Access
Formulated Products, Inc. Site

Dear Mr. Foisy:

The United States Environmental Protection Agency ("U.S. EPA") requests that Formulated Products, Inc. allow U.S. EPA, the Ohio Environmental Protection Agency ("OEPA"), and their representatives and contractors access to Formulated Products, Inc. property located at 110 East Street, Clyde, Ohio and any other property to which access is required for the implementation of response activities, to the extent access to the property is controlled by Formulated Products, Inc.

As outlined in the enclosed **Consent for Entry and Access** agreement, the response activities to be performed on the Formulated Products, Inc. property include the following:

1. developing and implementing a site health and safety plan;
2. establishing site security;
3. identification, inventory, and characterization of hazardous substances and wastes, and some associated contaminated soils, at the site;
4. stabilization and off-site disposal of all surficial hazardous wastes at the site; and
5. Taking any response action to address any release or threatened release of a hazardous substance, pollutant, or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to public health, welfare, or the environment.

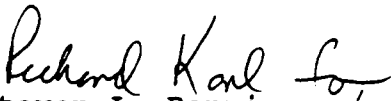
If Formulated Products, Inc., is agreeable to giving its unconditional consent as outlined in the enclosed **Consent for**

Entry and Access, please sign, date, and return the document as soon as possible, to:

Alan I. Lewis
Office of Regional Counsel, CS-3T
U.S. EPA, Region V
77 West Jackson Blvd.
Chicago, Illinois 60604

If you have any questions, please contact me at (216) 522-7260, or contact Alan Lewis at (312) 886-0748.

Sincerely,


Steven L. Renninger
On-Scene Coordinator

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
CONSENT FOR ENTRY AND ACCESS

I, John Foisy, as agent of Formulated Products, Inc., am authorized to grant access to the real property which is described in Attachment No. 1 hereto (hereinafter referred to as the "Property" or the "site"). As authorized agent of Formulated Products, Inc. I certify that this **Consent For Entry And Access** is signed voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

By execution of this **Consent For Entry And Access**, Formulated Products, Inc. hereby grants permission to enter, and unconditional access to the Property to officials and authorized representatives, agents, contractors and subcontractors of the United States Environmental Protection Agency ("U.S. EPA") (including officials and representatives of the Ohio Environmental Protection Agency) in connection with the response actions herein described.

Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), as amended by the Superfund Amendment and Reauthorization Act of 1986, Public Law 99-499, 42 U.S.C. § 9604, U.S. EPA is authorized to enter private property at reasonable times and to undertake any response measures consistent with the National Contingency Plan deemed necessary to protect public health or welfare or the environment.

Formulated Products, Inc. understands that U.S. EPA has determined that it is necessary to undertake response activities on the Property in order to protect public health or welfare or the environment. Formulated Products, Inc. further understands that the work to be performed on the Property may include, but is not necessarily limited to, the following activities and actions:

1. developing and implementing a site health and safety plan;
2. establishing site security;
3. identification, inventory, and characterization of hazardous substances and wastes and some associated contaminated soils at the site;
4. Stabilization and off-site disposal of all surficial hazardous wastes at the site.

Formulated Products, Inc. further understands that U.S. EPA may limit access to all, or any portion, of the Property as necessary to conduct further investigation and/or response actions at the site, or to protect human health or welfare or the environment.

I further agree, on behalf of Formulated Products, Inc., that I will notify U.S. EPA in writing at least thirty (30) days before any conveyance of an interest in the Property. Further, I agree

on behalf of Formulated Products, Inc. to notify the other parties involved in the conveyance of the existence of this agreement, prior to the transfer of the Property.

This **Consent For Entry And Access** shall be binding on the heirs, successors and assigns of Formulated Products, Inc.

Formulated Products, Inc. understands that notwithstanding any provision of this **Consent For Entry And Access**, U.S. EPA reserves all of its access authorities and rights, including enforcement authorities related thereto, under CERCLA and any other applicable statute or regulation.

John Foisy

Date

[Please insert your title]
Authorized Agent for
Formulated Products, Inc.

**Consent For Entry And Access
Attachment No. 1**

Legal Description

That real property owned by Formulated Products, Inc., or John Foisy, located at 110 East Street, Clyde, Sandusky County, Ohio and being further described as follows:

Situated in the Village of Clyde, County of Sandusky and State of Ohio: and being Inlots Numbered Eighty-one (81), Eighty-two (82), Eighty-three (83), Seven Hundred Thirty-four (734), Seven Hundred Thirty-five (735) and Seven Hundred Thirty-Six (736).

Also a parcel of land in Outlot Number Thirty-nine (39), more fully described as commencing at the southeast corner of Inlot Number Seven Hundred Thirty-six (736); thence Easterly along the North line of the right of way of the L.S. & M.S. Railway Company to its intersection with the Southerly line of the right of way of The Wheeling and Lake Erie Railway Company; thence Northwesterly along the Southerly line of the right of way of said The Wheeling and Lake Erie Railway Company to a point directly North of the Point of beginning; and thence Southerly along the East line of Inlots Number Seven Hundred Thirty-three (733), Seven Hundred Thirty-four (734), Seven Hundred Thirty-five (735), and Seven Hundred Thirty-six (736) to the point of beginning; containing about one acre of land, be the same more or less, but subject to all legal highways.